

Agriculture, Conservation and Forestry

PUBLIC 522 **An Act To Extend the Dairy Stabilization Subsidy Through** **LD 1852**
EMERGENCY **May 31, 2004**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL	OTP	
BRYANT		

Public Law 2003, chapter 522 extends dairy stabilization payments for milk produced between January 1, 2004 and May 31, 2004 and caps the total amount to be distributed for this period at \$2,100,000. During the First Session of the 121st Legislature, Public Law 2003, chapter 120 established provisions for distributing payments to Maine's dairy farmers for any month from September through December of 2004 in which the base price of milk fell below \$16.94 per hundredweight. Chapter 120 provided for payments based on 55% of the difference between the target price of \$16.94 and the base price. Chapter 522 retains the target price of \$16.94 but provides for payments to be calculated based on 40% of the difference in target price and base price.

Public Law 2003, chapter 522 was enacted as an emergency measure effective February 20, 2004.

PUBLIC 536 **An Act To Amend the Laws Regarding Humane Agents and Kennel** **LD 1742**
Licenses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N	OTP-AM	H-680

Public Law 2003, chapter 536 clarifies that all humane agents are required to complete training in the handling of small and large animals and a minimum of 40 hours of training annually. It removes the use of the term "pack or collection" in the definition of "kennel" and under the kennel licensing provisions. Instead the term "5 or more dogs" is used. Kennel licensing provisions apply to a person who keeps 5 or more dogs for breeding, hunting, show, training, field trials or exhibition purposes.

PUBLIC 549 **An Act To Ensure Fair Payment for Timber Harvesting Jobs on** **LD 1782**
Land Managed by the Department of Conservation, Bureau of
Parks and Lands

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	H-714
STANLEY		

Public Law 2003, chapter 549 requires a contract to harvest timber on the public reserved and nonreserved lands to include a provision requiring that timber harvesters be paid a wage or piece rate not less than the prevailing wage or rate established by the Department of Labor and equipment allowances equal to or greater than the

Agriculture, Conservation and Forestry

allowances established by the Department of Labor. If a prevailing wage or piece rate is not established by the Department of Labor for a specific harvesting occupation or an equipment allowance is not established by the Department of Labor for a specific type of equipment, the Director of the Bureau of Parks and Lands is authorized to establish wages or piece rates and allowances to apply on the reserved and nonreserved lands.

PUBLIC 550 An Act To Improve the Property Boundary Marking Laws for LD 1693 Purposes of Timber Harvesting

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT MCKEE	OTP-AM	S-385 S-393 BRYANT

Public Law 2003, chapter 550 requires a landowner authorizing a harvest or the person conducting a harvest near a property boundary line to clearly mark any established property boundary line within 200 feet of the area to be harvested. It prohibits the harvesting of trees growing on a property boundary line unless prior approval is obtained from owners of the abutting property. Exemptions are provided for tree cutting performed by the Department of Transportation, public utilities or municipal employees or agents and for harvests on a parcel of land that is 5 acres or less.

PUBLIC 578 An Act To Implement the Recommendations of the Joint Standing LD 1902 Committee on Agriculture, Conservation and Forestry Relating to the Review of Agencies under the State Government Evaluation Act

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

Public Law 2003, chapter 578 is the report of the Joint Standing Committee on Agriculture, Conservation and Forestry upon completion of review of agencies submitting Government Evaluation Reports to the 121st Legislature. Chapter 578 establishes future report dates for agencies reviewed by the committee this session and deletes a reference to the recently abolished State Soil and Water Conservation Commission. It also does the following:

1. It removes employees of the Department of Agriculture, Food and Rural Resources from the Pull Events Commission and provides for the agricultural fair coordinator within the department to serve as secretary to the commission.
2. It establishes a separate dedicated account to receive seed certification and inspection fees and other funds received in support of a state seed certification and inspection program.
3. It allows loans from the Agricultural Marketing Loan Fund to be used to improve pastureland.

Agriculture, Conservation and Forestry

4. It directs the Baxter State Park Authority to report in 2006 to the joint standing committee of the Legislature having jurisdiction over parks and public lands on the implementation of the rolling reservation system for Baxter State Park.

PUBLIC 642 An Act To Regulate the Breeding and Sale of Small Mammals LD 1952

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		H-851 MCKEE

Public Law 2003, chapter 642 is the report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It directs the Commissioner of Agriculture, Food and Rural Resources to adopt rules concerning the breeding and sale of small mammals, including guinea pigs, hamsters and rabbits, to apply to breeders and sellers who are not currently required to be licensed or otherwise regulated by the department.

PUBLIC 648 An Act To Encourage the Future of Maine's Dairy Industry LD 1945
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI BRYANT	OTP-AM	H-883

Public Law 2003, chapter 648 establishes 2 programs to stabilize the prices paid to dairy farmers for their milk. Under the tiered program a target price is established for each of three levels of production to reflect short-run break-even points within each tier. Payments are distributed for each month in which the base price was less than the target price. The second payment program, the Maine Milk Income Loss Contract, provides for payments to Maine dairy farmers whose annual production exceeds the cap under the federal Milk Income Loss Contract. These farmers are eligible to receive a payment for production over the federal cap until annual production reaches 5,000,000 pounds.

Chapter 648 directs the Department of Agriculture, Food and Rural Resources to develop a course of action for implementing other recommendations of the Governor's Task Force on the Sustainability of the Dairy Industry in Maine presented in the task force's report dated November 18, 2003. It also requires the joint standing committee of the Legislature having jurisdiction over agricultural matters to review the price support provisions enacted by chapter 648 and authorizes the committee to report out a bill to implement the committee's recommendations regarding each program. The bills are authorized for submission to the First Regular Session of the 123rd Legislature.

PUBLIC 694 An Act Regarding Penalties Assessed by the Bureau of Forestry LD 1965

Agriculture, Conservation and Forestry

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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Public Law 2003, chapter 694 enacts a civil penalty for a violation of rules adopted to substantially eliminate liquidation harvesting. A person who violates the rule is subject to fines that may be increased for a second violation within a 5-year period. Alternatively, maximum fines may be increased to reflect the economic benefit realized from the violation.

RESOLVE 102 Resolve, To Clarify State Ownership of Land in the Town of Naples LD 1644

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	OTP	

Resolves 2003, chapter 102 directs the Director of the Bureau of Parks and Lands within the Department of Conservation to clarify ownership of the land in the vicinity of a parcel known as "Third Beach" adjacent to Sebago Lake State Park in the Town of Naples.

RESOLVE 110 Resolve, Directing the Department of Conservation To Implement a LD 1253 Pilot Project To Evaluate Outdoor Playground Surface Materials

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN HALL	OTP-AM	H-693

Resolves 2003, chapter 110 directs the Director of the Bureau of Parks and Lands within the Department of Conservation to develop and implement a pilot project for evaluating the use of waste tire material as a playground surfacing material.

RESOLVE 129 Resolve, Authorizing the Transfer of a Parcel of Land on Peaks LD 1719 Island to the Peaks Island Land Preserve

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN DUDLEY	OTP-AM	S-455

Agriculture, Conservation and Forestry

Resolve 2003, chapter 129 authorizes the Commissioner of Inland Fisheries and Wildlife to transfer land on Peaks Island designated as a state-owned wildlife management area to the Peaks Island Land Preserve. It requires that the deed conveying the property contain provisions ensuring appropriate conservation of the property.

RESOLVE 137 Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands LD 1942

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT HATCH PR	OTP-AM	S-508

Resolve 2003, chapter 137 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey property at 5 locations. The transfers authorized include; 1.5 miles of road to the Town of Winterville in Aroostook County, lots on First Roach Pond in Piscataquis County to the First Roach Pond Leaseholders Coalition or individual members of the coalition, 25 acres in Lynchtown Township in Oxford County to the Bosebuck Mountain Club, Inc., a 45 acre parcel of land in Little Moose Township to the Town of Greenville, and a lot in Corinna to the Town of Corinna. Any proceeds from the sale of land must be used to purchase additional land in the same county.

RESOLVE 141 Resolve, To Clarify Title to Land Related to the Waldo-Hancock Bridge Replacement LD 1947

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY HATCH PH	OTP	

Resolve 2003, chapter 141 authorizes the transfer of management responsibility for a small portion of Fort Knox State Historic Site by the Director of the Bureau of Parks and Lands within the Department of Conservation to the Department of Transportation for the purpose of constructing and maintaining a portion of the Waldo-Hancock Bridge replacement. It also confirms that portions of State Route 174 and U.S. Route 1 that cross Fort Knox State Park were constructed, and are occupied and maintained for highway purposes. The area subject to this transfer of management responsibility is approximately 5 acres, approximately 4.75 acres of which is currently occupied by State Route 174 and U.S. Route 1. No funds will be exchanged in connection with this transfer.

RESOLVE 144 Resolve, Regarding Legislative Review of Chapter 23: Standards for Timber Harvesting To Substantially Eliminate Liquidation Harvesting, a Major Substantive Rule of the Department of Conservation LD 1962

Agriculture, Conservation and Forestry

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-966
	OTP-AM MIN	

Resolve 2003, chapter 144 authorizes final adoption of Chapter 23 Standards for Timber Harvesting to Substantially Eliminate Liquidation Harvesting. Final adoption of the provisionally adopted rule is authorized providing revisions proposed by the Maine Forest Service and dated April 27, 2004 are made as well as additional changes specified in the Resolve. The Resolve requires that 2 exemptions in the rule be based on timberland acreage rather than total land ownership acreage or total parcel size. The Resolve requires the Commissioner of Conservation to make available to the public a document that allows comparison of the rule provisionally adopted on April 14, 2004 and the rule authorized and finally adopted.